

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** _____

ANGEL LUIS RIVERA, JR.,
a/k/a “Billy”
JAMES RICHARD RIVERA
a/k/a “Jimmy”

: **VIOLATIONS:**
: **21 U.S.C. § 846**
: **(Conspiracy to distribute heroin**
: **- 1 count)**
: **21 U.S.C. § 841(a)(1)**
: **(Distribution of heroin - 2 counts)**
: **21 U.S.C. § 860(a)**
: **(Distribution of heroin within 1000 feet**
: **of a school - 2 counts)**
: **21 U.S.C. § 853**
: **(Criminal forfeiture)**
: **18 U.S.C. § 2**
: **(Aiding and abetting)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From at least in or about July 2003 through on or about October 14, 2003,
at Reading, in the Eastern District of Pennsylvania, and elsewhere, defendants

ANGEL LUIS RIVERA, JR.,
a/k/a “Billy”
and
JAMES RICHARD RIVERA
a/k/a “Jimmy”

conspired and agreed, together and with others known and unknown to the grand jury, to
knowingly and intentionally distribute a mixture or substance containing a detectable amount of
heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections

841(a)(1) and 841(b)(1)(C).

MANNER AND MEANS

It was a part of the conspiracy that:

1. Defendants ANGEL LUIS RIVERA, JR., and JAMES RICHARD RIVERA were members of a drug organization which distributed heroin in Reading, Pennsylvania on numerous occasions between at least July 2003 and October 14, 2003, and received various amounts of cash in payment for the heroin.
2. Defendant ANGEL LUIS RIVERA, JR., purchased heroin from suppliers in New York City, and elsewhere, for distribution in Reading.
3. Defendant JAMES RICHARD RIVERA worked for defendant ANGEL LUIS RIVERA, JR., as a distributor of heroin.
4. Defendants ANGEL LUIS RIVERA, JR., and JAMES RICHARD RIVERA and others carried and used cellular phones to speak with each other, and with distributors and purchasers of heroin.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were performed in Reading, in the Eastern District of Pennsylvania, and elsewhere:

1. On or about August 7, 2003, defendant ANGEL LUIS RIVERA, JR., discussed the sale of heroin with an undercover police officer, and agreed to meet the officer at the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania and sell him 25 bundles of

heroin for \$2,500.

2. On or about August 7, 2003, defendant JAMES RICHARD RIVERA, at the direction of defendant ANGEL LUIS RIVERA, JR., brought 25 bundles of heroin to the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania for distribution to an undercover police officer.

3. On or about August 7, 2003, defendant ANGEL LUIS RIVERA, JR., distributed approximately 8.1 grams of heroin to an undercover police officer for \$2,500 in Reading, Pennsylvania.

4. On or about August 20, 2003, defendant ANGEL LUIS RIVERA, JR., discussed the sale of heroin with an undercover police officer, and agreed to meet the officer at the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania and sell him 25 bundles of heroin for \$2,500.

5. On or about August 20, 2003, defendant ANGEL LUIS RIVERA, JR., met with an undercover police officer at the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania. Defendant ANGEL LUIS RIVERA, JR., placed a cellular phone call to a person RIVERA referred to as "Jimmy" and directed "Jimmy" to bring the drugs. When "Jimmy" was unable to bring the drugs, the transaction was cancelled by the undercover officer.

6. On or about September 30, 2003, defendant ANGEL LUIS RIVERA, JR., discussed the sale of heroin with an undercover police officer, and agreed to meet the officer at the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania and sell him 25 bundles of heroin for \$2,500.

7. On or about September 30, 2003, defendant ANGEL LUIS RIVERA, JR.,

met with an undercover police officer in the parking lot of the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania and told the officer his source of supply would arrive shortly and deliver 25 bundles of heroin for \$2,500.

8. On or about September 30, 2003, an unknown individual, at the direction of defendant ANGEL LUIS RIVERA, JR., met an undercover police officer at the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania and distributed approximately 11.8 grams of heroin to the officer for \$2,500.

9. On or about October 14, 2003, defendant ANGEL LUIS RIVERA, JR., agreed to sell 25 bundles of heroin to an undercover police officer for \$2,500 at the 7-Eleven Store at 406 Lackawanna Street, Reading, Pennsylvania.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 7, 2003, at Reading, in the Eastern District of Pennsylvania,
defendants

**ANGEL LUIS RIVERA, JR.,
a/k/a “Billy”
and
JAMES RICHARD RIVERA,
a/k/a “Jimmy”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately
8.1 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C),
and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 7, 2003, at Reading, in the Eastern District of Pennsylvania,
defendants

**ANGEL LUIS RIVERA, JR.,
a/k/a “Billy”
and
JAMES RICHARD RIVERA,
a/k/a “Jimmy”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 8.1 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Glenside Elementary School, a public elementary school, located at 400 Lackawanna Street, Reading, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 30, 2003, at Reading, in the Eastern District of
Pennsylvania, defendant

**ANGEL LUIS RIVERA, JR.,
a/k/a “Billy”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately
11.8 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C),
and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 30, 2003, at Reading, in the Eastern District of
Pennsylvania, defendant

**ANGEL LUIS RIVERA, JR.,
a/k/a “Billy”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately
11.8 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I
controlled substance, within one 1,000 feet of the real property comprising the Glenside
Elementary School, a public elementary school, located at 400 Lackawanna Street, Reading, in
violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

NOTICE OF FORFEITURE

1. As a result of the violations of Title 21, United States Code, Sections 846, 841(a)(1) and 860(a), charged in this Indictment, defendants ANGEL LUIS RIVERA, JR., a/k/a “Billy,” and JAMES RICHARD RIVERA, a/k/a “Jimmy,” shall forfeit to the United States of America:

- a. Any property, including but not limited to the sum of \$5,000 which constitutes and is derived from proceeds obtained directly or indirectly as the result of the violations of Title 21, United States Code as charged in this Indictment.; and
- b. any property which was used or intended to be used, in any manner or part,
to commit or to facilitate the commission of the violations of Title 21, United States Code, Sections 846, 841(a)(1) and 860(a) charged in this Indictment.

SUBSTITUTE ASSETS

2. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendants ANGEL LUIS RIVERA, JR., a/k/a “Billy,” and JAMES RICHARD RIVERA, a/k/a “Jimmy,”

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney